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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JASMINE A. EASLEY, individually,

Plaintiff,

vs.

AMERIPRISE FINANCIAL SERVICES,
INC. n/k/a AMERIPRISE FINANCIAL
SERVICES, LLC, a Delaware Corporation,

Defendant.

Case No. 2:19-cv-02214-APG-BNW

**STIPULATION AND [PROPOSED] ORDER
TO EXTEND DISCOVERY DEADLINES
(FIRST REQUEST)**

Pursuant to LR IA 6-1, 6-2, and LR II 26-4, Plaintiff, JASMINE EASLEY and Defendant, AMERIPRISE FINANCIAL SERVICES, INC. n/k/a AMERIPRISE FINANCIAL SERVICES, LLC, by and through their respective counsel of record, hereby stipulate to amend the Discovery Plan and Scheduling Order (ECF No. 14) by extending the outstanding discovery deadlines for a period of ninety (90) days. This is the first request for an extension to the Discovery Plan and Scheduling Order in this matter. The requested extension is sought in good faith and not for purposes of undue delay. This request is submitted at least twenty-one (21) days or more before each deadline set forth below.

DISCOVERY COMPLETED TO DATE

The parties have exchanged initial disclosures pursuant to FRCP 26(a)(1). Plaintiff and Defendant have each served a first supplement to their initial disclosures. Defendant propounded its First Set of Interrogatories and Requests for Production of Documents on Plaintiff and has received

1 responses. Plaintiff propounded her First Set of Interrogatories, Requests for Production of
2 Documents, and Requests for Admission and Defendant has responded to the Requests for Production
3 and Requests for Admission. Defendant's answers to Plaintiff's Interrogatories are due June 25, 2020.
4 Defendant has issued a FOIA request and received a response. Defendant has issued third party
5 subpoenas to Plaintiff's prior employers and medical providers.

6 **DISCOVERY THAT REMAINS TO BE COMPLETED**

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8 Written discovery is ongoing in this case. The parties are in the process of reviewing each
9 other's discovery responses. Defendant will require time to receive and review subpoenaed records,
10 assess the need for third-party depositions concerning the subpoenaed records, and take Plaintiff's
11 deposition together with any percipient witnesses. Plaintiff intends to take depositions of Defendant's
12 percipient witnesses.

13 **REASONS FOR EXTENSION TO COMPLETE DISCOVERY**

14 This extension is necessary to allow both parties ample time to complete all appropriate
15 discovery. Specifically, additional time is needed to complete written discovery and serve and receive
16 responses to third-party subpoenas, as well as notice and take depositions and conduct additional third-
17 party discovery. Responses to subpoenas have been delayed due to COVID-19 related issues resulting
18 in delays in service and response time due to business impacts of the third parties where subpoenas
19 were directed. Moreover, Defendant has only recently received an authorization from Plaintiff to
20 subpoena Plaintiff's medical records and will need to obtain and review those records in order to
21 sufficiently evaluate the need for an expert. Further, defense counsel will be taking a leave of absence
22 tentatively beginning July 13, 2020 and as a result it is anticipated that depositions may be delayed.

23 The parties believe that, absent any unforeseen circumstances, all necessary discovery can be
24 accomplished by the requested extended deadline. Good cause exists to extend all deadlines in order
25 to permit the parties to achieve their respective stated discovery goals and in consideration of current
26 restrictions in place that have affected the parties' availability, witness availability, and undersigned
27 counsel's availability.

PROPOSED REVISED DISCOVERY PLAN

1. Discovery Cut-Off Deadline

The discovery cut-off deadline shall be extended for ninety (90) days from September 7, 2020 to **December 7, 2020**.

2. Fed. R. Civ. P. 26(a)(2) Disclosures (Experts)

In accordance with Rule 26(a)(2), initial disclosures identifying experts shall be made sixty (60) days prior to the discovery cut-off date, and therefore, not later than **October 8, 2020** and disclosures identifying rebuttal experts shall be made thirty (30) days after the initial disclosure of experts and, therefore, not later than **November 9, 2020**.

3. Dispositive Motions Deadline

The parties shall file dispositive motions thirty (30) days after the extended discovery cut-off date of December 7, 2020 and therefore, not later than **January 6, 2021**.

4. Joint Pretrial Order Deadline

If no dispositive motions are filed, and unless otherwise ordered by this Court, the Joint Pretrial Order shall be filed thirty (30) days after the date set for filing dispositive motions, and therefore, not later than **February 5, 2021**. In the event dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until thirty (30) days after the Court enters a ruling on the dispositive motions or otherwise by further order of the Court.

5. Fed. R. Civ. P. 26(a)(3) Disclosures

If no dispositive motions are filed, and unless otherwise ordered by this Court, the pre-trial disclosures deadline shall be thirty (30) days from the extended dispositive motions deadline of January 6, 2021, and therefore, not later than **February 5, 2021**.

6. Interim Status Report Deadline

An Interim Status Report was filed on May 27, 2020 (ECF No. 21).

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7. Extensions or Modification of the Discovery Plan and Scheduling Order

In accordance with Local Rule 26-4, any stipulation or motion for modification or extension of this discovery plan and scheduling order must be made at least twenty-one (21) days prior to the expiration of the subject deadline.

Accordingly, the parties stipulate, subject to approval of this Court, to the following new proposed deadlines:

	Current Deadline	Revised Deadline
Discovery Cut-Off	September 7, 2020	December 7, 2020
Fed. R. Civ. P. 26(a)(2) Disclosures (Experts)	July 10, 2020	October 8, 2020
Rebuttal Experts	August 10, 2020	November 9, 2020
Dispositive Motions	October 8, 2020	January 6, 2021
Joint Pretrial Order	November 9, 2020	February 5, 2021
Fed. R. Civ. P. 26(a)(3) Disclosures	November 9, 2020	February 5, 2021

Dated: June 18, 2020

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Respectfully submitted,

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/s/ Andre M. Lagomarsino
ANDRE M. LAGOMARSINO, ESQ.
LAGOMARSINO LAW

/s/ Amy L. Thompson
MONTGOMERY Y. PAEK, ESQ.
AMY L. THOMPSON, ESQ.
LITTLER MENDELSON, P.C.

Attorney for Plaintiff

Attorneys for Defendant

IT IS SO ORDERED.

Dated this 22nd day of June, 2020.


UNITED STATES MAGISTRATE JUDGE

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